



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

NOV 18 2005

REPLY TO THE ATTENTION OF

(AE-17J)

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

William Eckhardt
Manufacturing Casting Manager
The Top Die Casting Co.
13910 Dearborn St.
South Beloit, IL 61080

Re: Finding of Violation
The Top Die Casting Co.
South Beloit, Illinois

Dear Mr. Eckhardt:

The United States Environmental Protection Agency (U.S. EPA) is issuing the enclosed Finding of Violation (FOV) to The Top Die Casting Co. (you). We find that you are violating Section 112 of the Clean Air Act (the Act), 42 U.S.C. § 7412 and the National Emission Standard for Hazardous Air Pollutants (NESHAP) 40 C.F.R. Part 63 subpart RRR, at your South Beloit, Illinois facility.

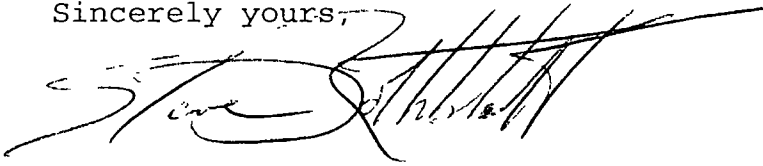
We have several enforcement options under Section 113(a)(3) of the Clean Air Act, 42 U.S.C. § 7413(a)(3). These options include issuing an administrative compliance order, issuing an administrative penalty order, and bringing a judicial civil or criminal action. The options we select may depend on, among other things, the length of time you take to achieve and demonstrate continuous compliance with the rules cited in the FOV.

We are offering you an opportunity to confer with us about the violations alleged in the FOV. The conference will give you the opportunity to present information on the specific findings of violation, the efforts you have taken to comply, and the steps you will take to prevent future violations.

Please plan for your facility's technical and management personnel to attend the conference to discuss compliance measures and commitments. You may have an attorney represent you at this conference.

The U.S. EPA contact in this matter is Shannon Downey. You may call her at (312)353-2151 to request a conference. You should make the request as soon as possible, but no later than 10 calendar days after you receive this letter. We should hold any conference within 30 calendar days of your receipt of this letter.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Stephen Rothblatt", with a long, sweeping horizontal line extending to the right.

Stephen Rothblatt, Director
Air and Radiation Division

Enclosure

cc: Julie Armitage, Acting Manager
Compliance and Enforcement Section Bureau of Air
Illinois Environmental Protection Agency

**United States Environmental Protection Agency
Region 5**

IN THE MATTER OF:)	
)	
The Top Die Casting Co.)	FINDING OF VIOLATION
South Beloit, Illinois)	
)	EPA-05-06-03-IL
)	
Proceedings Pursuant to)	
the Clean Air Act,)	
42 U.S.C. §§ 7401 <u>et seq.</u>)	

FINDING OF VIOLATION

The United States Environmental Protection Agency finds that The Top Die Casting Company (Top Die) is violating Section 112 of the Clean Air Act, 42 U.S.C. § 7412. Specifically, Top Die is violating the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Secondary Aluminum Production at 40 C.F.R. part 63, subpart RRR as follows:

Regulatory Authority

1. The NESHAP for Secondary Aluminum Production subpart RRR 40 C.F.R. § 63.1500 applies to Top Die.
2. The requirements of NESHAP subpart RRR, at 40 C.F.R. § 63.1500 *et seq.*, apply to the owner or operator of each secondary aluminum production facility as defined in § 63.1503.
3. The NESHAP at 40 C.F.R. § 63.1501(a) states that the owner or operator of an existing affected source must comply with the requirements of the subpart by March 24, 2003.
4. The NESHAP, at 40 C.F.R. § 63.1503, defines a secondary aluminum production facility as any establishment using clean charge, aluminum scrap, or dross from aluminum production, as the raw material and performing one or more of the following processes: scrap shredding, scrap drying/delacquering/decoating, thermal chip drying, furnace operations (i.e., melting, holding, sweating, refining, fluxing, or alloying), recovery of aluminum from dross, in-line fluxing, or dross cooling.

5. The NESHAP, at 40 C.F.R. § 63.1503, defines a Group 1 furnace, as a furnace of any design that melts, holds, or processes aluminum that contains paint, lubricants, coatings, or other foreign materials with or without reactive fluxing, or processes clean charge with reactive fluxing.
6. The NESHAP, at 40 C.F.R. § 63.1505(i), determines the emission standards for Group 1 furnaces as defined in § 63.1503.
7. The NESHAP, at 40 C.F.R. § 63.1506(a), requires the owner or operator to operate all new and existing affected sources and control equipment according to the requirements in 40 C.F.R. § 63.1506.
8. The NESHAP, at 40 C.F.R. § 63.1511(b), requires the owner or operator of an existing affected source to perform tests on all its affected emission units by March 24, 2003 and list the results of those tests in its compliance report.
9. The NESHAP, at 40 C.F.R. § 63.1515(a), requires the owner or operator to submit an initial notification stating that it is subject to the standard.
10. The NESHAP, at 40 C.F.R. § 63.1515(b), requires the owner or operator of an existing affected source to submit a notification of compliance status report within 60 days after March 24, 2003.
11. The NESHAP, at 40 C.F.R. § 63.1516(b), requires the owner or operator to submit within 60 days of the end of each 6-month period an Excess Emission/Summary Report.

Top Die's Facility

12. Top Die owns and operates a Secondary Aluminum Production facility at 13910 Dearborn St., South Beloit, Illinois. Top Die's facility melts aluminum ingot and returned resin impregnated castings.
13. Top Die's South Beloit facility is subject to the NESHAP requirements at 40 C.F.R. part 63 subpart RRR.

Violations

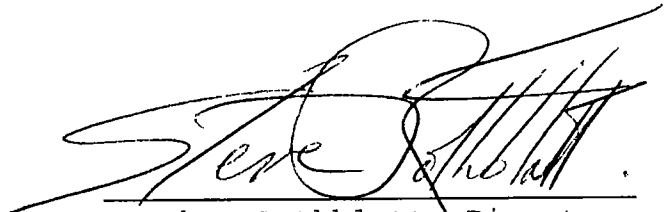
14. By March 24, 2003, Top Die was required to submit an initial notification, stating that its facility was subject to the NESHAP Secondary Aluminum Production Requirements. Top Die failed to submit said notification in violation of 40 C.F.R. § 63.1515(a).

15. Within sixty days of March 24, 2003, Top Die was required to submit a notification of compliance status. Top Die failed to submit said notification in violation of 40 C.F.R. § 63.1515(b).

16. By March 24, 2003, Top Die was required to perform initial performance tests for D/F on its affected emission sources. Top Die has not conducted said tests in violation of 40 C.F.R. §63.1511(b).

17. By November 23, 2003, Top Die also was required to submit its first Excess Emission/Summary Report. Top Die failed to submit its report in violation of 40 C.F.R. § 63.1516(b).

11/18/2005
Date


Stephen Rothblatt, Director
Air and Radiation Division

CERTIFICATE OF MAILING

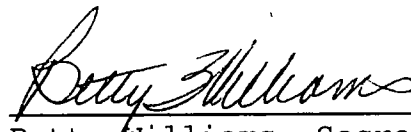
I, Betty Williams, certify that I sent a Finding of Violation, No. EPA-05-06-03-IL, by Certified Mail, Return Receipt Requested, to:

William Eckhardt
Manufacturing Casting Manager
Top Die Casting Co.
13910 Dearborn St.
South Beloit, IL 61080

I also certify that I sent copies of the Finding of Violation by first class mail to:

Julie Armitage, Acting Manager
Compliance and Enforcement Section Bureau of Air
Illinois Environmental Protection Agency
1021 N. Grand Avenue
Springfield, IL 62702

on the 21st day of November, 2005.


Betty Williams, Secretary
AECAS, (IL/IN)

CERTIFIED MAIL RECEIPT NUMBER: 7001 0320 0006 0295 2836